



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 3000

DATE SCANNED 9/16/15

SCANNER NO. 2

SCAN OPERATOR JB



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2015 APR -7 PM 4:46
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2015 APR -7 PM 4:46

April 7, 2015

SENSITIVE

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

FROM: Patricia C. Orrock *PCO*
Chief Compliance Officer

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: Kristin D. Roser *KDR*
Compliance Branch

SUBJECT: Reason to Believe Recommendation -
Failure to File 48-Hour Notices under the Administrative Fine Program

Attached is the name of a principal campaign committee that has failed to file 48-hour notices with the Commission for contributions of \$1,000.00 or more received from the close of books for the New Hampshire 12 Day Pre-Primary Report up to 48 hours before the September 9, 2014 Primary Election and (2) from the close of books for the 12 Day Pre-General Report up to 48 hours before the November 4, 2014 General Election in accordance with 52 U.S.C. § 30104(a) and 11 CFR. § 104.5(f). The committee, Marilinda Garcia for Congress, represents a candidate who lost the General Election. The committee is being referred for failing to file 48-hour notices for contributions totaling \$31,150.00.

A 48-hour notice is required to report all contributions of a \$1,000.00 or more, to any authorized committee of a candidate, including contributions from the candidate, loans from the candidate and other non-bank sources and endorsements or guarantees of loans from banks, as per, 11 CFR § 104.5(f).

We have attached an information sheet which includes the contributor name, date of receipt and amount of the contributions for which a 48-hour notice was not filed.

In accordance with the schedule of civil money penalties outlined within 11 CFR § 111.44, this committee should be assessed the civil money penalty so indicated.

Recommendation

1. Find reason to believe that Marilinda Garcia for Congress and David Horan, Treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary determination that a civil money penalty of \$4,435 be assessed.
2. Send the appropriate letter.

Attachment

7/10/00 10:00 AM

Contributions for Which a 48-Hour Notice Was Not Received

AF 3000

Committee ID: C00552364

Committee Name: Marilinda Garcia for Congress

Report Type: Amended 2014 October Quarterly Report (8/21/2014 - 9/30/2014)

2014 30 Day Post-General Report (10/16/2014 - 11/24/2014)

Primary 48-Hour Reporting Period: 8/21/2014 - 9/06/2014

General 48-Hour Reporting Period: 10/16/2014 - 11/01/2014

CONTRIBUTOR	DATE	AMOUNT	REPORTING PERIOD
LYNN, JOHN	08/25/2014	\$1,000.00	PRIMARY
KRAUSE, CHARLES	08/31/2014	\$1,000.00	PRIMARY
BRUCE, ROBERT	09/02/2014	\$1,000.00	PRIMARY
FAMILY RESEARCH COUNCIL ACTION POLITICAL ACTION COMMITTEE	09/02/2014	\$1,000.00	PRIMARY
JOBS GROWTH AND FREEDOM FUND	09/02/2014	\$5,000.00	PRIMARY
SLAYTON, MARINA	10/16/2014	\$1,000.00	GENERAL
WINSOR, CURTIN	10/16/2014	\$1,000.00	GENERAL
NORTON, ART	10/17/2014	\$1,000.00	GENERAL
PETRONE, JOSEPH	10/20/2014	\$1,000.00	GENERAL
LABELLE, AMY	10/23/2014	\$1,850.00	GENERAL
PELKEY, STEVE	10/23/2014	\$2,500.00	GENERAL
TOM RICE FOR CONGRESS	10/27/2014	\$2,000.00	GENERAL
SNIDER, TINA	10/28/2014	\$1,000.00	GENERAL
BENSON, DENISE	10/29/2014	\$2,600.00	GENERAL
HOWES, MELISSA	10/29/2014	\$2,600.00	GENERAL
HOWES, MELISSA	10/29/2014	\$2,600.00	GENERAL
LEINES, WENDY	10/29/2014	\$1,000.00	GENERAL
LOVERING, RICHARD	10/31/2014	\$1,000.00	GENERAL
ANTONIO, LOUIS	11/01/2014	\$1,000.00	GENERAL
	TOTAL	\$31,150.00	

Proposed Civil Money Penalty: \$4,435.00 ((12 Notices Not Filed at \$110 each) + (10% of the Overall Contributions Not Filed))

AF#	Committee ID	Committee Name	State	Election	Candidate Name	Treasurer	Prev Violations	Notices Not Filed	LOA	Penalty	4/7/2015 2:46 PM
3000	C00552364	MARILINDA GARCIA FOR CONGRESS	NH	2014	GARCIA, MARILINDA	DAVID HORAN	0	12	\$31,150	\$4,435	

Federal Election Commission
Reason to Believe Circulation Report
48-Hour Notification Report

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason To Believe Recommendation –) AF 3000
Failure to File 48-Hour Notices under the)
Administrative Fine Program: Marilinda)
Garcia for Congress and David Horan,)
Treasurer)

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on April 09, 2015, the Commission decided by a vote of 6-0 to take the following actions in AF 3000:

1. Find reason to believe that Marilinda Garcia for Congress and David Horan, Treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary determination that a civil money penalty of \$4,435 be assessed.
2. Send the appropriate letter.

Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Attest:

April 10, 2015
Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 10, 2015

David Horan, in official capacity as Treasurer
Marilinda Garcia for Congress
P.O. Box 821
Salem, NH 03079

C00552364
AF#: 3000

Dear Mr. Horan:

The Federal Election Campaign Act of 1971, as amended, 52 U.S.C. § 30101, *et seq.* ("the Act"), requires principal campaign committees of candidates for federal office to notify in writing either the Secretary of the Senate or the Federal Election Commission ("FEC"), and the Secretary of State, as appropriate, of any contribution of \$1,000 or more, received by any authorized committee of the candidate after the 20th day, but more than 48 hours before, any election. 52 U.S.C. § 30104(a)(6)(A). The Act further requires notification to be made within 48 hours after the receipt of the contribution and to include the name of the candidate and office sought, the date of receipt, the amount of the contribution, and the identification of the contributor. *Id.* These notification requirements are in addition to all other reporting requirements. 52 U.S.C. § 30104(a). Our records indicate that Marilinda Garcia for Congress did not submit 48-Hour Notices for contributions of \$1,000 or more, received between August 25, 2014 and November 1, 2014, totaling \$31,150, as required by 52 U.S.C. § 30104(a)(6)(A). Attachment 1.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109(a)(4). On April 9, 2015, the FEC found that there is Reason to Believe ("RTB") that Marilinda Garcia for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file the 48-Hour Notices. Based on the FEC's schedule of civil money penalties at 11 CFR § 111.44, the amount of your civil money penalty calculated at the RTB stage is \$4,435. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 2. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. The amount of the civil money penalty is \$110 for each non-filed notice plus 10 percent of the dollar amount of the contributions not timely reported. The civil money penalty increases by 25 percent for each prior violation. Send your payment of \$4,435 within forty (40) days of the finding, or by May 19, 2015.

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate

action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and 30109(a)(12)(A) until it is placed on the public record at the conclusion of this matter in accordance with 11 CFR § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact David Garr in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Ann M. Ravel
Chair

ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.44, the amount of your civil money penalty calculated at RTB is \$4,435 for the 2014 Primary and General Election 48-Hour Notification Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The remittance and your payment are due by May 19, 2015. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Marilinda Garcia for Congress

FEC ID#: C00552364

AF#: 3000

PAYMENT DUE DATE: May 19, 2015

PAYMENT AMOUNT DUE: \$4,435

Contributions for Which a 48-Hour Notice Was Not Received

AF 3000

Committee ID: C00552364

Committee Name: Marilinda Garcia for Congress

Report Type: Amended 2014 October Quarterly Report (8/21/2014 - 9/30/2014)

2014 30 Day Post-General Report (10/16/2014 - 11/24/2014)

Primary 48-Hour Reporting Period: 8/21/2014 - 9/06/2014

General 48-Hour Reporting Period: 10/16/2014 - 11/01/2014

CONTRIBUTOR	DATE	AMOUNT	REPORTING PERIOD
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KRAUSE, CHARLES	08/31/2014	\$1,000.00	PRIMARY
BRUCE, ROBERT	09/02/2014	\$1,000.00	PRIMARY
FAMILY RESEARCH COUNCIL ACTION POLITICAL ACTION COMMITTEE	09/02/2014	\$1,000.00	PRIMARY
JOBS GROWTH AND FREEDOM FUND	09/02/2014	\$5,000.00	PRIMARY
SLAYTON, MARINA	10/16/2014	\$1,000.00	GENERAL
WINSOR, CURTIN	10/16/2014	\$1,000.00	GENERAL
NORTON, ART	10/17/2014	\$1,000.00	GENERAL
PETRONE, JOSEPH	10/20/2014	\$1,000.00	GENERAL
LABELLE, AMY	10/23/2014	\$1,850.00	GENERAL
PELKEY, STEVE	10/23/2014	\$2,500.00	GENERAL
TOM RICE FOR CONGRESS	10/27/2014	\$2,000.00	GENERAL
SNIDER, TINA	10/28/2014	\$1,000.00	GENERAL
BENSON, DENISE	10/29/2014	\$2,600.00	GENERAL
HOWES, MELISSA	10/29/2014	\$2,600.00	GENERAL
HOWES, MELISSA	10/29/2014	\$2,600.00	GENERAL
LEINES, WENDY	10/29/2014	\$1,000.00	GENERAL
LOVERING, RICHARD	10/31/2014	\$1,000.00	GENERAL
ANTONIO, LOUIS	11/01/2014	\$1,000.00	GENERAL
TOTAL		\$31,150.00	

Proposed Civil Money Penalty: \$4,435.00 ((12 Notices Not Filed at \$110 each) + (10% of the Overall Contributions Not Filed))

MARILINDA GARCIA FOR CONGRESS

212 Coolidge Avenue
Manchester, New Hampshire 03102

May 18, 2015

Ann M. Ravel, Chair
Federal Election Commission
Office of Administrative Review
999 E Street, NW
Washington, DC 20463

RE: AF #: 3000 and Marilinda Garcia for Congress (C00552364)

Dear Chairwoman Ravel :

I am writing this letter to challenge the Reason To Believe finding made against Marilinda Garcia for Congress (C00552364) for which I am treasurer. There are several factual errors that have been made in the list of 48 hour reports which were allegedly not received as itemized in attachment 1 of your letter to me of April 10, 2015 announcing the proposed administrative fine.

First, it is alleged that Jobs Growth and Freedom Fund made a \$5,000 contribution on September 2, 2014 when in fact this contribution was received September 8, 2014. The contribution was made in the form of a check # 1152 from Jobs Growth and Freedom Fund which is based in Austin, Texas. This contribution was received in the mail along with a variety of other checks all of which were received and deposited on September 8, 2014. Attached hereto is a copy of that check and three other checks which were copied at the same time. The handwritten initial M on the check was placed thereon by Michael Medeiros who was the campaign employee who received the checks and prepared the deposit. A 48 hour report is not required for a check received the day before the September 9, 2014 primary.

Second, it is alleged that Marilinda Garcia for Congress failed to file a 48 hour report with respect to a \$1,000 contribution allegedly received on September 2, 2014 from Family Research Council Political Action Committee. That check, dated September 2, 2014, was sent to the campaign from .

Washington, DC. It was deposited on September 15, 2014 with a number of other checks. Attached hereto is a copy of the Family Research Council PAC check along with three other checks deposited at the same time. The other three checks are rubber stamped as received September 11, 2014. Those checks were part of a bundle of checks received by Club for Growth on September 11, 2014 and thereafter forwarded to our campaign. A 48 hour report is not required for a check that is received after the primary election.

Third, it is alleged that our campaign committee failed to file a 48 hour report with respect to a \$1,000 contribution allegedly made by Robert Bruce on September 2, 2014. In fact, Robert H. Bruce made a contribution by way of a check dated September 2, 2014 which he, in the first instance, gave to the Club for Growth which transmitted that check and many others to our campaign on September 2, 2014. Attached hereto is page 9 of the earmarked and bundled receipts for Garcia, Marilinda for Congress (2014) which came to us in the Club for Growth bundle along with a variety of checks. Michael Medeiros sent me an E-mail on September 4, 2014, a copy of which is attached, announcing his receipt of this check. The actual check was received and deposited on September 3, 2014.

On September 4, 2014, I filed a 48 hour report with respect to this \$1,000 check from Robert H. Bruce. That report was accepted as filed and can be found in the public record of our campaign's 48 hour reports. It appears when that Michael Medeiros prepared the October quarterly report, that this \$1,000 contribution was entered on a second occasion identifying the contribution as being bundled with the contributions from the Club for Growth and received on September 3, 2014. I have examined the September 2, 2014 transmission and note only a Robert H. Bruce contribution was received and a second contribution with the name Robert Bruce and the same employer, occupation and amount was not received.

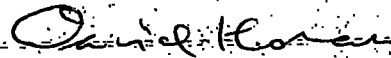
Fourth, it is alleged that our campaign failed to file a 48 hour reports for a \$1000 contribution allegedly received from Marina Slayton on October 16, 2014 and for another \$1000 contribution allegedly received from Curtin Winsor on the same day. In fact, our campaign filed 48 hour reports for both of these \$1000 contribution on October 20, 2014 with the day of receipt being listed as October 19, 2014. I enclose copies of these two checks. Marina Slayton sent us a check dated October 15, 2014 and Curtin Winsor sent a check dated October 12, 2014 from Virginia. Both checks were picked up from the campaign's post office box on October 19, 2014 and subsequently deposited on October 21, 2014.

It appears that when Michael Medeiros did the data entry for the post general election report that he erroneously entered a receipt date of October 16, 2014 for the \$1000 checks from Marina Slayton and Curtin Winsor. I have reviewed copies of all the checks received by the campaign for the deposits in October 2014 and the copies of the two checks I am sending you today are the only two checks received from these donors. There were no other contributions received from these two people on October 16, 2014.

I am today filing amended reports to correct the mistakes cited above. I would request that the proposed fines for each of the five checks described above not be imposed. If you need any further information concerning these issues, please feel contact me by mail at 212 Coolidge Avenue, Manchester, NH 03102

Thank you for your consideration.

Yours truly,



David Horan, Treasurer
Marilinda Garcia for Congress

DH/dah
Enclosures



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 21, 2015

David Horan, Treasurer
Marilinda Garcia for Congress
P.O. Box 821
Salem, NH 03079

C00552364
AF#: 3000

Dear Mr. Horan:

On May 19, 2015, the Commission's Office of Administrative Review ("OAR") received your written response ("challenge") for Marilinda Garcia for Congress and you, in your official capacity as Treasurer, which is being reviewed by OAR. If you have any questions regarding your challenge, please contact this Office on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

Sincerely,

A handwritten signature in cursive script that reads "Rhiannon Magruder".

Rhiannon Magruder
Reviewing Officer
Office of Administrative Review



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
JUL 14 2015

2015 JUL 14 AM 10:26

SENSITIVE

July 14, 2015

MEMORANDUM

To: The Commission

Through: Alec Palmer *WHP*
Staff Director

From: Patricia C. Orrock *PCO*
Chief Compliance Officer

Rhiannon Magruder *RM*
Reviewing Officer
Office of Administrative Review

Subject: Reviewing Officer Recommendation in AF# 3000 – Marilinda Garcia for Congress and David Horan, in his official capacity as Treasurer (C00552364)

The attached Reviewing Officer Recommendation is being circulated on an informational basis. A copy was also sent to the respondents in accordance with 11 C.F.R. § 111.36(f). The respondents may file with the Commission Secretary a written response within 10 days of transmittal of the recommendation. After the 10 day period, the Reviewing Officer Recommendation and the respondents' written response, if any, will be circulated to the Commission to make a final determination.

Attachment



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 14, 2015

**REVIEWING OFFICER RECOMMENDATION
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

AF# 3000 – Marilinda Garcia for Congress and David Horan, in his official capacity as Treasurer (C00552364)

Summary of Recommendation

Make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$3,315 civil money penalty.

Reason-to-Believe Background

In connection with the 2014 New Hampshire Primary Election held on September 9, 2014, the respondents were required to file 48-Hour Notices for contributions of \$1,000 or more received between August 21, 2014 and September 6, 2014. In connection with the 2014 New Hampshire General Election held on November 4, 2014, the respondents were required to file 48-Hour Notices for contributions of \$1,000 or more received between October 16 and November 1, 2014.

On April 9, 2015, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file 48-Hour Notices for 19 contributions totaling \$31,150 and made a preliminary determination that the civil money penalty was \$4,435 based on the schedule of penalties at 11 C.F.R. § 111.44. A letter was mailed to the respondents' address of record from the Reports Analysis Division ("RAD") on April 10, 2015 to notify them of the Commission's RTB finding and civil money penalty.

Legal Requirements

The Federal Election Campaign Act ("Act") requires that the principal campaign committee of a candidate must notify the Commission, in writing, of any contribution of \$1,000 or more received after the 20th day but more than 48 hours before an election. The principal campaign committee must notify the Commission within 48 hours of receipt of the contribution. The 48-hour notification shall be in addition to all other reporting requirements under the Act. 52 U.S.C. § 30104(a)(6)(A) and 11 C.F.R. § 104.5(f). Reports electronically filed must be received and validated at or before 11:59 pm Eastern Standard/Daylight Time on the filing deadline to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

Summary of Respondents' Challenge

On May 19, 2015, the Commission received the written response ("challenge") from the Committee's Treasurer. The respondents contend that the Committee was not required to file 48-Hour Notices for five of the contributions included in the RTB finding. In summary, the respondents provide the following clarifying details:

- The Committee erroneously reported the \$5,000 contribution from Jobs Growth and Freedom Fund as received on September 2, 2014. The contribution was received on September 8, 2014, after the 48-hour period. Therefore, a 48-Hour Notice was not required for this contribution.
- The Committee erroneously reported the \$1,000 contribution from Family Research Council Political Action Committee as received on September 2, 2014. The contribution was received after the primary election. Therefore, a 48-Hour Notice was not required for this contribution.
- The Committee erroneously reported a duplicate entry for a \$1,000 contribution from Robert H. Bruce received on September 3, 2014. The Committee only received a single \$1,000 contribution from Robert H. Bruce. On September 4, 2014, the Committee appropriately filed a 48-Hour Notice for the contribution.
- The Committee erroneously reported the \$1,000 contribution from Marina Slayton received on October 16, 2014. The Committee only received a single \$1,000 contribution from Marina Slayton, which was appropriately reported as received on October 19, 2014. On October 20, 2014, the Committee appropriately filed a 48-Hour Notice for the contribution.
- The Committee erroneously reported the \$1,000 contribution from Curtin Winsor received on October 16, 2014. The Committee only received a single \$1,000 contribution from Curtin Winsor, which was appropriately reported as received on October 19, 2014. On October 20, 2014, the Committee appropriately filed a 48-Hour Notice for the contribution.

The Committee concludes by stating it will file amended reports to correct the errors. Included with the challenge are copies of the contribution checks referenced above.

Analysis

After receiving the respondents' challenge, OAR requested that RAD determine if the points made in the challenge and/or corresponding corrections disclosed on amended reports were considered adequate. RAD determined that the respondents adequately addressed the five contributions referenced in the challenge and detailed below.

With respect to the \$5,000 contribution from Jobs Growth and Freedom Fund, the respondents contend that the Committee erroneously reported a receipt date of September 2, 2014. The Committee's challenge states that the contribution was received on September 8, 2014. On May 18, 2015, the Committee filed an Amended 2014 October Quarterly Report disclosing this contribution as received on September 8, 2014. The contribution was received after the 48-Hour Notice period; therefore, a 48-Hour Notice was not required.

With respect to the \$1,000 contribution from Family Research Council Political Action Committee, the respondents contend that the Committee erroneously reported a receipt date of September 2, 2014. The Committee's challenge states that the contribution was received after the 2014 New Hampshire Primary Election. On May 18, 2015, the Committee filed an Amended 2014 October Quarterly Report disclosing this contribution as received on September 15, 2014. The contribution was received after the 48-Hour Notice period; therefore, a 48-Hour Notice was not required.

With respect to the two \$1,000 contributions from Robert H. Bruce received on September 3, 2014, the respondents contend that the Committee erroneously reported duplicate transactions. On May 18, 2015, the Committee filed an Amended 2014 October Quarterly Report disclosing only a single \$1,000 contribution from Robert H. Bruce received on September 3, 2014. On September 4, 2014, the Committee timely filed a 48-Hour Notice for this contribution.

With respect to the two \$1,000 contributions from Marina Slayton received on October 16 and 19, 2014, the respondents contend that the Committee erroneously reported duplicate transactions. On May 18, 2015, the Committee filed an Amended 2014 Post-General Report disclosing only a single \$1,000 contribution from Marina Slayton, received on October 19, 2014. On October 20, 2014, the Committee timely filed a 48-Hour Notice for this contribution.

With respect to the two \$1,000 contributions from Curtin Winsor received on October 16 and 19, 2014, the respondents contend that the Committee erroneously reported duplicate transactions. On May 18, 2015, the Committee filed an Amended 2014 Post-General Report disclosing only a single \$1,000 contribution from Curtin Winsor, received on October 19, 2014. On October 20, 2014, the Committee timely filed a 48-Hour Notice for this contribution.

At the time of RTB, the Commission calculated the civil money penalty based on the Committee's failure to file 48-Hour Notices for 19 contributions totaling \$31,150, which were received on twelve separate days. Based on the respondents' challenge and Amended 2014 October Quarterly and Post-General Reports received May 18, 2015, the Reviewing Officer confirms that the five contributions detailed above should be removed from the calculation of the civil money penalty. The respondents still failed to file 48-Hour Notices for 14 contributions totaling \$22,150, which were received on ten separate days; therefore, the respondents failed to file ten 48-Hour Notices.

The civil money penalty calculation for 48-Hour Notices is contained at 11 C.F.R. § 111.44. The calculation is \$110 plus 10% of the amount of the contributions not reported on each 48-Hour Notice. The amount of the civil money penalty is $(\$110 \times 10) + (.10 \times \$22,150)$ or \$3,315. Therefore, the Reviewing Officer recommends that the

Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$3,315 civil money penalty.

OAR Recommendations

1. Adopt the Reviewing Officer recommendation for AF# 3000 that Marilinda Garcia for Congress and David Horan, in his official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 3000 that Marilinda Garcia for Congress and David Horan, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$3,315 civil money penalty (reduced from the RTB civil money penalty of \$4,435); and
3. Send the appropriate letter.

Attachments

-
- Attachment 1 –
 - Attachment 2 –
 - Attachment 3 – Declaration from RAD
 - Attachment 4 – Declaration from OAR
-

DECLARATION OF KRISTIN D. ROSER

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to Marilinda Garcia for Congress:
 - A) Request for Additional Information Letter for the Amended 2014 October Quarterly Report, dated November 25, 2014, referencing the missing 48-Hour Notices (sent via electronic mail to: dhoran@conversent.net);
 - B) Request for Additional Information Letter for the 2014 30 Day Post-General Report, dated February 3, 2015, referencing the missing 48-Hour Notices (sent via electronic mail to: dhoran@conversent.net);
 - C) Reason-to-Believe Letter, dated April 10, 2015 referencing the missing 48-Hour Notices (sent via overnight mail to the address of record).
3. I hereby certify that I have searched the Commission's public records and find that Marilinda Garcia for Congress has not yet filed the missing 48-Hour Notices with the Commission.
4. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 21st day of May, 2015.

Kristin D. Roser

Kristin D. Roser
Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission

15002409875



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

November 25, 2014

DAVID HORAN, TREASURER
MARILINDA GARCIA FOR CONGRESS
PO BOX 821
SALEM, NH 03079

Response Due Date
12/30/2014

IDENTIFICATION NUMBER: C00552364

REFERENCE: AMENDED OCTOBER QUARTERLY REPORT (08/21/2014 - 09/30/2014),
RECEIVED 10/16/2014

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 5 item(s):

1. Schedule A of your report discloses one or more contributions that appear to exceed the limits set forth in the Act (see attached).

An individual or a political committee other than an authorized committee or qualified multi-candidate committee may not make a contribution(s) to a candidate for federal office in excess of \$2,600 per election. An authorized committee may not make a contribution(s) to a candidate for federal office in excess of \$2,000 per election. A qualified multi-candidate committee and all affiliated committees may not make a contribution(s) to a candidate for federal office in excess of \$5,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (52 U.S.C. § 30116(a) and (f) (formerly 2 U.S.C. § 441a(a) and (f)); 11 CFR § 110.1(b), (e) and (k))

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information. If any contribution you received exceeds the limits, you may have to refund the excessive amount.

Excessive contributions may be retained if, within 60 days of receipt, the

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MARILINDA GARCIA FOR CONGRESS

Page 2 of 5

excessive portions are properly redesignated or reattributed. Guidelines for each option are provided below.

For reattributions, excessive contributions from individuals can be retained if, within 60 days of receipt, the excessive amount is properly reattributed to another person. Please note that reattributions only apply to excessive contributions from individuals. An excessive contribution is considered properly reattributed if (1) the contributors provide the committee with written documentation, signed by each contributor, authorizing a reattribution and indicating the amount of the contribution to be attributed to each contributor; or (2) the committee reattributes by presumption the excessive portion of the contribution if the contribution was made on a written instrument from a joint account and was signed by only one of the account holders. In this case, the treasurer must notify the contributors in writing within 60 days of receiving the contribution that the committee intends to reattribute the excessive portion and must give the contributor an opportunity to request a refund. (11 CFR § 110.1(k)(3)(ii)(B))

For redesignations, the funds can be retained if, within 60 days of receipt, the excessive amount is properly redesignated for a different election. An excessive contribution is considered properly redesignated if (1) the committee obtains signed written documentation from the contributor(s) authorizing the redesignation of the contribution for another election, provided that the new designation does not exceed the limitations on contributions made with respect to that election; or (2) your committee redesignates by presumption the excessive portion of the contribution for another election provided that the new designation does not exceed the limitations on contributions made with respect to that election. In this case, the treasurer must notify the contributor of the redesignation in writing within 60 days of the treasurer's receipt of the contribution. The notification must give the contributor an opportunity to request a refund. (11 CFR § 110.1(b)(5)(ii)(B)) Please note that you cannot presumptively redesignate an excessive contribution from a multi-candidate committee. Also, a contribution can only be redesignated to a previous election to the extent that the contribution does not exceed the committee's net debts outstanding for that election. (11 CFR § 110.1(b)(3)(i))

If the foregoing conditions for reattributions or redesignations are not met within 60 days of receipt of the contribution, the excessive amount must be refunded. See 11 CFR § 103.3(b)(1).

MARILINDA GARCIA FOR CONGRESS

Page 3 of 5

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide photocopies of any refund checks and/or letters reattributing or redesignating the contributions in question. Refunds are reported on Line 20(a), (b), or (c), as applicable, of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations and reattributions are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation and/or reattribution is received. (11 CFR § 104.8(d)(2), (3) and (4))

Although the Commission may take further legal action concerning the acceptance of excessive contributions, your prompt action to refund, redesignate, and/or reattribute the excessive amount will be taken into consideration.

2. Schedule A of your report discloses one or more contributions that appear to be from limited liability corporation(s) (LLC) (see attached). 11 C.F.R. §110.1(g) allows the receipt of contributions from LLCs providing the LLC is treated as a partnership for tax purposes, and has not elected to be treated as a corporation by the Internal Revenue Service (IRS). Both LLCs that claim corporate status and those that publicly traded would be treated as corporations for FECA purposes.

Please amend your report to clarify if the LLCs in question are treated as partnerships. If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you must amend your original report with clarifying information.

If you have received prohibited contributions, you must make a refund. (11 CFR § 103.3(b)(1)) The refund must be made within 30 days of the treasurer becoming aware of the illegality of the contribution. (11 CFR § 103.3(b)(2))

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide a photocopy of any refund checks. Refunds must be reported on a Schedule B supporting Line 20(a) of the report covering the period in which the refund was made. (11 CFR § 104.8(d)(4))

Although the Commission may take further legal action concerning the acceptance of prohibited contributions, your prompt action to refund the prohibited amount will be taken into consideration.

MARILINDA GARCIA FOR CONGRESS

Page 4 of 5

3. Schedule A of your report indicates that your committee may have failed to file one or more of the required 48-hour notices regarding "last minute" contributions received by your committee after the close of books for the 12 Day Pre-Primary Report (see attached). A principal campaign committee must notify the Commission, in writing, within 48 hours of any contribution of \$1,000 or more received between two and twenty days before an election. These contributions are then reported on the next report required to be filed by the committee. To ensure that the Commission is notified of last minute contributions of \$1,000 or more to your campaign, it is recommended that you review your procedures for checking contributions received during the aforementioned time period. The failure to file 48-hour notices may result in civil money penalties or legal enforcement action. (11 CFR § 104.5(f))

If any contribution of \$1,000 or more was incorrectly reported, you must amend your original report with the clarifying information.

4. Your report discloses a transfer(s) of joint fundraising receipts "Rise Project". You must provide a memo Schedule A disclosing your share of gross receipts. Contributions from original contributors whose total contributions to your committee have exceeded \$200 during the election cycle must be itemized on this schedule. The itemization should include the full name, mailing address and zip code of the person, along with the name of his/her employer, the date of the contribution, his/her occupation, the election designation and the election cycle-to-date amount of contributions made by this person. In addition, the memo schedule should itemize your committee's share of all contributions from political committees, regardless of amount. Please amend your report by providing the omitted memo schedule(s). (11 CFR § 102.17(c)(8)(i)(B))

5. Your report discloses entries on Schedule A totaling \$23,906.70 for "Victory Trust 2014" which appears to be your committee's share of the gross contributions received from a joint fundraising committee. However, the original contributors are reported as memo text and not as individual memo entries. Please amend your report to show the original contributors as individual memo entries. (11 CFR § 102.17(c)(8)(i)(B))

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to

MARILINDA GARCIA FOR CONGRESS

Page 5 of 5

taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended.

If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1171.

Sincerely,



Jessica Grainger
Campaign Finance Analyst
Reports Analysis Division

**Excessive, Prohibited, and Impermissible Contributions
Marilinda Garcia for Congress (C00552364)**

Excessive Contributions from Individuals

Contributor Name	Date	Amount	Election
Barrette, Ray	9/10/14	\$2,600.00	G2014
Barrette, Ray	9/29/14	\$1,600.00	G2014
Kendrick, Earl	9/16/14	\$2,600.00	G2014
Kendrick, Earl	9/16/14	\$2,600.00	G2014
Whitcomb, Frank Tyler	9/29/14	\$2,600.00	G2014
Whitcomb, Frank Tyler	9/29/14	\$2,600.00	G2014

Excessive Contributions from Committees

Contributor Name	Date	Amount	Election
VALUE IN ELECTING WOMEN POLITICAL ACTION COMMITTEE	6/29/14	\$2,500.00	P2014
VALUE IN ELECTING WOMEN POLITICAL ACTION COMMITTEE	9/10/14	\$5,000.00	P2014

Contributions from Possible Prohibited Entities

Contributor Name	Date	Amount	Election
Anagnost Investment, LLC	9/29/14	\$500.00	G2014
MB Tractor, LLC	9/25/14	\$100.00	G2014

150062706881

Missing 48-Hour Notices**Marilinda Garcia for Congress (C00552364)**

Contributor Name	Date	Amount	Election
Lynn, John	8/25/14	\$1,000.00	P2014
Krause, Charles	8/31/14	\$1,000.00	P2014
Bruce, Robert	9/2/14	\$1,000.00	P2014
FAMILY RESEARCH COUNCIL ACTION POLITICAL ACTION COMMITTEE	9/2/14	\$1,000.00	P2014
JOBS GROWTH AND FREEDOM FUND	9/2/14	\$5,000.00	P2014

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

February 3, 2015

DAVID HORAN, TREASURER
MARILINDA GARCIA FOR CONGRESS
PO BOX 821
SALEM, NH 03079

Response Due Date
03/10/2015

IDENTIFICATION NUMBER: C00552364

REFERENCE: 30 DAY POST-GENERAL REPORT (10/16/2014 - 11/24/2014)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 6 item(s):

1. Schedule A of your report discloses one or more contributions that appear to exceed the limits set forth in the Act (see attached).

An individual or a political committee other than an authorized committee or qualified multi-candidate committee may not make a contribution(s) to a candidate for federal office in excess of \$2,600 per election. An authorized committee may not make a contribution(s) to a candidate for federal office in excess of \$2,000 per election. A qualified multi-candidate committee and all affiliated committees may not make a contribution(s) to a candidate for federal office in excess of \$5,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (52 U.S.C. § 30116(a) and (f) (formerly 2 U.S.C. § 441a(a) and (f)); 11 CFR § 110.1(b), (e) and (k))

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information. If any contribution you received exceeds the limits, you may have to refund the excessive amount.

Excessive contributions may be retained if, within 60 days of receipt, the excessive portions are properly redesignated or reattributed. Guidelines for

MARILINDA GARCIA FOR CONGRESS

Page 2 of 5

each option are provided below.

For reattributions, excessive contributions from individuals can be retained if, within 60 days of receipt, the excessive amount is properly reattributed to another person. Please note that reattributions only apply to excessive contributions from individuals. An excessive contribution is considered properly reattributed if (1) the contributors provide the committee with written documentation, signed by each contributor, authorizing a reattribution and indicating the amount of the contribution to be attributed to each contributor; or (2) the committee reattributes by presumption the excessive portion of the contribution if the contribution was made on a written instrument from a joint account and was signed by only one of the account holders. In this case, the treasurer must notify the contributors in writing within 60 days of receiving the contribution that the committee intends to reattribute the excessive portion and must give the contributor an opportunity to request a refund. (11 CFR § 110.1(k)(3)(ii)(B))

For redesignations, the funds can be retained if, within 60 days of receipt, the excessive amount is properly redesignated for a different election. An excessive contribution is considered properly redesignated if (1) the committee obtains signed written documentation from the contributor(s) authorizing the redesignation of the contribution for another election, provided that the new designation does not exceed the limitations on contributions made with respect to that election; or (2) your committee redesignates by presumption the excessive portion of the contribution for another election provided that the new designation does not exceed the limitations on contributions made with respect to that election. In this case, the treasurer must notify the contributor of the redesignation in writing within 60 days of the treasurer's receipt of the contribution. The notification must give the contributor an opportunity to request a refund. (11 CFR § 110.1(b)(5)(ii)(B)) Please note that you cannot presumptively redesignate an excessive contribution from a multi-candidate committee. Also, a contribution can only be redesignated to a previous election to the extent that the contribution does not exceed the committee's net debts outstanding for that election. (11 CFR § 110.1(b)(3)(i))

If the foregoing conditions for reattributions or redesignations are not met within 60 days of receipt of the contribution, the excessive amount must be refunded. See 11 CFR § 103.3(b)(1).

If you have not already done so, please inform the Commission of your

MARILINDA GARCIA FOR CONGRESS

Page 3 of 5

corrective action immediately in writing and provide photocopies of any refund checks and/or letters reattributing or redesignating the contributions in question. Refunds are reported on Line 20(a), (b), or (c), as applicable, of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations and reattributions are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation and/or reattribution is received. (11 CFR § 104.8(d)(2), (3) and (4))

Although the Commission may take further legal action concerning the acceptance of excessive contributions, your prompt action to refund, redesignate, and/or reattribute the excessive amount will be taken into consideration.

2. Schedule A of your report discloses one or more contributions that appear to be from limited liability corporation(s) (LLC) (see attached). 11 C.F.R. §110.1(g) allows the receipt of contributions from LLCs providing the LLC is treated as a partnership for tax purposes, and has not elected to be treated as a corporation by the Internal Revenue Service (IRS). Both LLCs that claim corporate status and those that publicly traded would be treated as corporations for FECA purposes.

Please amend your report to clarify if the LLCs in question are treated as partnerships. If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you must amend your original report with clarifying information. If you have received prohibited contributions, you must make a refund. (11 CFR § 103.3(b)(1)) The refund must be made within 30 days of the treasurer becoming aware of the illegality of the contribution. (11 CFR § 103.3(b)(2))

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide a photocopy of any refund checks. Refunds must be reported on a Schedule B supporting Line 20(a) of the report covering the period in which the refund was made. (11 CFR § 104.8(d)(4))

Although the Commission may take further legal action concerning the acceptance of prohibited contributions, your prompt action to refund the prohibited amount will be taken into consideration.

3. Your report discloses transfer(s) of joint fundraising receipts from "Friends

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MARILINDA GARCIA FOR CONGRESS

Page 4 of 5

of Winning Women". You must provide a memo Schedule A disclosing your share of gross receipts. Contributions from original contributors whose total contributions to your committee have exceeded \$200 during the election cycle must be itemized on this schedule. The itemization should include the full name, mailing address and zip code of the person, along with the name of his/her employer, the date of the contribution, his/her occupation, the election designation and the election cycle-to-date amount of contributions made by this person. In addition, the memo schedule should itemize your committee's share of all contributions from political committees, regardless of amount. Please amend your report by providing the omitted memo schedule(s). (11 CFR § 102.17(c)(8)(i)(B))

4. Your report discloses memo Schedule A's totaling \$1000 for "Victory Trust 2014" which appears to be your committee's share of the gross contributions received from a joint fundraising committee. However, the original contributor is reported as memo text and not as an individual memo entry. Please amend your report to show the original contributor as a memo entry. (11 CFR §102.17(c)(8)(i)(B))

5. Schedule A of your report indicates that your committee may have failed to file one or more of the required 48-hour notices regarding "last minute" contributions received by your committee after the close of books for the 12 Day Pre General Report (see attached). A principal campaign committee must notify the Commission, in writing, within 48 hours of any contribution of \$1,000 or more received between two and twenty days before an election. These contributions are then reported on the next report required to be filed by the committee. To ensure that the Commission is notified of last minute contributions of \$1,000 or more to your campaign, it is recommended that you review your procedures for checking contributions received during the aforementioned time period. The failure to file 48-hour notices may result in civil money penalties or legal enforcement action. (11 CFR § 104.5(f))

If any contribution of \$1,000 or more was incorrectly reported, you must amend your original report with the clarifying information.

6. Your committee filed a 48-hour notice disclosing a "last minute" contribution from Melissa Stevens on 10/20/2014. This contribution does not appear on a Schedule A of this report. Please amend your report to include this contribution or provide an explanation of this apparent discrepancy. (11 CFR § 104.3(a)(4)(i))

MARILINDA GARCIA FOR CONGRESS

Page 5 of 5

- Your report disclosed a category of financial activity that appears to be disclosed on the wrong line of the Detailed Summary Page. For your information and consideration when preparing future filings, contributions from individuals should be properly disclosed on a separate Schedule A, supporting Line 11(a)(i) of the Detailed Summary Page. Please refer to the Form 3 instructions for each line when determining the proper categorization(s) for your next filing. (11 CFR § 104.3(a) and (b))

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. Requests for extensions of time in which to respond will not be considered.

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended.

If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1171.

Sincerely,



Jessica Grainger
Campaign Finance Analyst
Reports Analysis Division

**Excessive, Prohibited, and Impermissible Contributions
Marilinda Garcia for Congress (C00552364)**

Excessive Contributions from Individuals

Contributor Name	Date	Amount	Election
Howes, Melissa	10/29/14	\$2,600.00	G2014
Howes, Melissa	10/29/14	\$2,600.00	G2014
MacLeod, John	8/20/14	\$2,600.00	G2014
MacLeod, John	10/24/14	\$759.95	G2014
MacLeod, John	10/30/14	-\$750.00	G2014
Norton, Arthur	9/29/14	\$500.00	G2014
Norton, Arthur	9/30/14	\$1,000.00	G2014
Norton, Arthur	10/17/14	\$1,000.00	G2014
Norton, Art	10/17/14	\$1,000.00	G2014
Petrone, Augusta	9/19/14	\$1,111.00	G2014
Petrone, Augusta	9/30/14	\$1,000.00	G2014
Petrone, Augusta	10/20/14	\$1,000.00	G2014
Petrone, Augusta	11/3/14	\$278.00	G2014

Contributions from Possible Prohibited Entities

Contributor Name	Date	Amount	Election
Alex Vailas, LLC	10/22/14	\$500.00	G2014

Missing 48-Hour Notices**Marilinda Garcia for Congress (C00552364)**

Contributor Name	Date	Amount	Election
Slayton, Marina	10/16/14	\$1,000.00	G2014
Winsor, Curtin	10/16/14	\$1,000.00	G2014
Norton, Art	10/17/14	\$1,000.00	G2014
Petrone, Joseph	10/20/14	\$1,000.00	G2014
LaBelle, Amy	10/23/14	\$1,850.00	G2014
Pelkey, Steve	10/23/14	\$2,500.00	G2014
Snider, Tina	10/28/14	\$1,000.00	G2014
Benson, Denise	10/29/14	\$2,600.00	G2014
Howes, Melissa	10/29/14	\$2,600.00	G2014
Howes, Melissa	10/29/14	\$2,600.00	G2014
Leines, Wendy	10/29/14	\$1,000.00	G2014
Lovering, Richard	10/31/14	\$1,000.00	G2014
Antonio, Louis	11/1/14	\$1,000.00	G2014

15330073293

DECLARATION OF RHIANNON MAGRUDER

- 1) I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) The principal campaign committee of a candidate must file notifications disclosing contributions of \$1,000 or more which are received after the 20th day but more than 48 hours before an election. These notifications (also called 48-Hour Notices) must be filed with the Commission within 48 hours of the committee's receipt of the contribution(s).
- 3) It is the practice of the Reports Analysis Division to document all calls to or from committees regarding a letter they receive or any questions relating to the administrative fine regulations, including due dates of reports and filing requirements.
- 4) I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
 - a) 48-Hour Notice filed by Marilinda Garcia for Congress and David Horan, in his official capacity as Treasurer, on September 4, 2014.
 - b) 48-Hour Notice filed by Marilinda Garcia for Congress and David Horan, in his official capacity as Treasurer, on October 20, 2014.
 - c) Report Cover Page and 3 pages of Schedule A for the Amended 2014 October Quarterly Report filed by Marilinda Garcia for Congress and David Horan, in his official capacity as Treasurer. According to the Commission's records, the report covers the period from August 21, 2014 through September 30, 2014, and was received on May 18, 2015.
 - d) Report Cover Page and 2 pages of Schedule A for the Amended 2014 Post-General Report filed by Marilinda Garcia for Congress and David Horan, in his official capacity as Treasurer. According to the Commission's records, the report covers the period from August 21, 2014 through September 30, 2014, and was received on May 18, 2015.

- 5) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington, D.C. on the 14th day of July, 2015.

Rhiannon Magruder

Rhiannon Magruder
Reviewing Officer
Office of Administrative Review
Federal Election Commission

150027000001

48 HOUR NOTICE OF CONTRIBUTIONS/LOANS RECEIVED

(See Reverse Side for Instructions)

to be used to report all contributions (including loans) of \$1000 or more, received within 20 days of the election.

1. NAME OF COMMITTEE IN FULL Marilinda Garcia for Congress																											
ADDRESS (number and street) PO Box 821																											
CITY, STATE, and ZIP CODE Salem NH 03079																											
2. NAME OF CANDIDATE Marilinda Garcia	3. OFFICE SOUGHT (State and District) NH 02	4. FEC IDENTIFICATION NUMBER C00552364																									
5. IS THIS AN AMENDMENT? <input checked="" type="checkbox"/> NO, THIS IS A NEW FILING <input type="checkbox"/> YES, IT AMENDS THE NOTICE FILED ON _____ / _____ / _____																											
<table border="1"> <thead> <tr> <th>A. FULL NAME, MAILING ADDRESS AND ZIP CODE</th> <th>Name of Employer</th> <th>Date (month, day, year)</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>Marina Slayton 8 Lewis Road Hanover NH 03755</td> <td>self employed Transaction ID : F6.10003 Occupation author</td> <td>10/19/2014</td> <td>1000.00</td> </tr> <tr> <td>B. FULL NAME, MAILING ADDRESS AND ZIP CODE Curtin Winsor Jr. 1453 Kirby Road McLean VA 22101</td> <td>self employed Transaction ID : F6.10002 Occupation Business consultant</td> <td>10/19/2014</td> <td>1000.00</td> </tr> <tr> <td>C. FULL NAME, MAILING ADDRESS AND ZIP CODE ADRIAN SMITH FOR CONGRESS 3321 AVENUE I SUITE 6 SCOTTSBLUFF NE 69361</td> <td>Name of Employer Transaction ID : F6.10004 Occupation</td> <td>10/19/2014</td> <td>2500.00</td> </tr> <tr> <td>D. FULL NAME, MAILING ADDRESS AND ZIP CODE</td> <td>Name of Employer Occupation</td> <td>Date (month, day, year)</td> <td>Amount</td> </tr> <tr> <td>E. FULL NAME, MAILING ADDRESS AND ZIP CODE</td> <td>Name of Employer Occupation</td> <td>Date (month, day, year)</td> <td>Amount</td> </tr> </tbody> </table>				A. FULL NAME, MAILING ADDRESS AND ZIP CODE	Name of Employer	Date (month, day, year)	Amount	Marina Slayton 8 Lewis Road Hanover NH 03755	self employed Transaction ID : F6.10003 Occupation author	10/19/2014	1000.00	B. FULL NAME, MAILING ADDRESS AND ZIP CODE Curtin Winsor Jr. 1453 Kirby Road McLean VA 22101	self employed Transaction ID : F6.10002 Occupation Business consultant	10/19/2014	1000.00	C. FULL NAME, MAILING ADDRESS AND ZIP CODE ADRIAN SMITH FOR CONGRESS 3321 AVENUE I SUITE 6 SCOTTSBLUFF NE 69361	Name of Employer Transaction ID : F6.10004 Occupation	10/19/2014	2500.00	D. FULL NAME, MAILING ADDRESS AND ZIP CODE	Name of Employer Occupation	Date (month, day, year)	Amount	E. FULL NAME, MAILING ADDRESS AND ZIP CODE	Name of Employer Occupation	Date (month, day, year)	Amount
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E. FULL NAME, MAILING ADDRESS AND ZIP CODE	Name of Employer Occupation	Date (month, day, year)	Amount																								
SIGNATURE (optional) David Horan		DATE 10/20/2014	For further information contact: Federal Election Commission 999 E Street, NW, Washington, DC 20463 Toll Free 800-424-9530, Local 202-694-1100																								

(Electronically Filed)

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Any information copied from reports and statements filed under the Federal Election Campaign Act may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes other than using the name and address of any political committee to solicit contributions from such committee.

FEC FORM 6
(Revised 07/2011)

**FEC
FORM 3****REPORT OF RECEIPTS
AND DISBURSEMENTS**
For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) TYPE OR PRINT ▼ Example: If typing, type over the lines. 12FE4M5

Marilinda Garcia for Congress

ADDRESS (number and street) PO Box 821

Check if different
than previously
reported: (ACC)

Salem

NH 03079

2. FEC IDENTIFICATION NUMBER ▼

C C00552364

CITY ▲

STATE ▲

ZIP CODE ▲

STATE ▼ DISTRICT

3. IS THIS
REPORTNEW
(N)

OR

X AMENDED
(A)

NH

02

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

January 31 Year-End Report (YE)

Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

in the
State of

(c) 30-Day POST-Election Report for the:

X General (30G)

Runoff (30R)

Special (30S)

Election on

11

04

2014

in the
State of

NH

5. Covering Period 10 16 2014 through 11 24 2014

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer David Horan

Signature of Treasurer David Horan

[Electronically Filed]

Date

05

18

2015

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

Office
Use
Only**FEC FORM 3**
(Revised 02/2003)

SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS

 Use separate schedule(s)
 for each category of the
 Detailed Summary Page

FOR LINE NUMBER: PAGE 54 OF 139

(check only one)

☒ 11a ☐ 11b ☐ 11c ☐ 11d
☐ 12 ☐ 13a ☐ 13b ☐ 14 ☐ 15

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

 NAME OF COMMITTEE (In Full)
Marilinda Garcia for Congress

Full Name (Last, First, Middle Initial)

Marina Slayton**A.**

Mailing Address 8 Lewis Road

City

Hanover

State

NH

Zip Code

03755

FEC ID number of contributing federal political committee.

CName of Employer
self employedOccupation
author

Receipt For: 2014

Primary ☒ General

Other (specify)

Election Cycle-to-Date

1000.00

Date of Receipt

10 19 2014

Transaction ID : SA11AI.10000

Amount of Each Receipt this Period

1000.00

contribution

Full Name (Last, First, Middle Initial)

Baker Smith**B.**

Mailing Address 3360 E Terrell Branch CT SE

City

Marietta

State

GA

Zip Code

30067

FEC ID number of contributing federal political committee.

C

Name of Employer

BDO Consulting Coprs

Occupation

Consultant

Receipt For: 2014

Primary ☒ General

Other (specify)

Election Cycle-to-Date

400.00

Date of Receipt

10 21 2014

Transaction ID : SA11AI.11587

Amount of Each Receipt this Period

100.00

DONATION

Full Name (Last, First, Middle Initial)

Michael Smith**C.**

Mailing Address 20 ash street

City

Windham

State

NH

Zip Code

03087

FEC ID number of contributing federal political committee.

C

Name of Employer

Information Requested

Occupation

Information Requested

Receipt For: 2014

Primary ☒ General

Other (specify)

Election Cycle-to-Date

1000.00

Date of Receipt

10 16 2014

Transaction ID : SA11AI.12007

Amount of Each Receipt this Period

500.00

Contribution

SUBTOTAL of Receipts This Page (optional)

1600.00

TOTAL This Period (last page this line number only)

SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS

 Use separate schedule(s)
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 Detailed Summary Page

 FOR LINE NUMBER:
 (check only one)

PAGE 69 OF 139

☒ 11a ☐ 11b ☐ 11c ☐ 11d
☐ 12 ☐ 13a ☐ 13b ☐ 14 ☐ 15

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 NAME OF COMMITTEE (In Full)
 Marilinda Garcia for Congress

A. Full Name (Last, First, Middle Initial) Curtin Winsor Jr.		Date of Receipt 10 19 2014	
Mailing Address 1453 Kirby Road		Transaction ID : SA11AI.9987	
City McLean	State VA	Zip Code 22101	
FEC ID number of contributing federal political committee. C		Amount of Each Receipt this Period 1000.00	
Name of Employer self employed	Occupation Business consultant		donation
Receipt For: 2014 Primary <input checked="" type="checkbox"/> General Other (specify)	Election Cycle-to-Date 1000.00		
B. Full Name (Last, First, Middle Initial) Jeff Yass		Date of Receipt 10 22 2014	
Mailing Address 401 East City Avenue Suite 220		Transaction ID : SA11AI.11418	
City Bala Cynwyd	State PA	Zip Code 19004	
FEC ID number of contributing federal political committee. C		Amount of Each Receipt this Period 2600.00	
Name of Employer Susquehanna International Grou	Occupation Owner		Contribution
Receipt For: 2014 Primary <input checked="" type="checkbox"/> General Other (specify)	Election Cycle-to-Date 2600.00		
C. Full Name (Last, First, Middle Initial) Frank Zazzera, Jr.		Date of Receipt 10 19 2014	
Mailing Address 27 Mill Haven Road		Transaction ID : SA11AI.11905	
City Glen Mills	State PA	Zip Code 19342	
FEC ID number of contributing federal political committee. C		Amount of Each Receipt this Period 250.00	
Name of Employer Thomas Properties Group	Occupation Accountant		Donation
Receipt For: 2014 Primary <input checked="" type="checkbox"/> General Other (specify)	Election Cycle-to-Date 250.00		
SUBTOTAL of Receipts This Page (optional)		3850.00	
TOTAL This Period (last page this line number only)		102974.76	

48 HOUR NOTICE OF CONTRIBUTIONS/LOANS RECEIVED

(See Reverse Side for Instructions)

To be used to report all contributions (including loans) of \$1000 or more, received within 20 days of the election.

1. NAME OF COMMITTEE IN FULL Marilinda Garcia for Congress			
ADDRESS (number and street) PO Box 821			
CITY, STATE, and ZIP CODE Salem NH 03079			
2. NAME OF CANDIDATE Marilinda Garcia		3. OFFICE SOUGHT (State and District) NH 02	
4. FEC IDENTIFICATION NUMBER C00552364			
5. IS THIS AN AMENDMENT? <input checked="" type="checkbox"/> NO, THIS IS A NEW FILING <input type="checkbox"/> YES, IT AMENDS THE NOTICE FILED ON _____ / _____ / _____			

A. FULL NAME, MAILING ADDRESS AND ZIP CODE	Name of Employer	Date (month, day, year)	Amount
Robert H. Bruce 100 Boerne Stage Airfield Boerne TX 78006	Boerne Stage Airport Transaction ID : F6.7884 Occupation proprietor	09/03/2014	1000.00
Sue Cannon 6420 West Lakeridge Road Denver CO 80277	Name of Employer information requested Transaction ID : F6.7887 Occupation information requested	09/03/2014	1000.00
Anita J. Court 171 Hermitage Circler Ligonier PA 15658	Name of Employer retired Transaction ID : F6.7883 Occupation retired	09/03/2014	1000.00
John Marshall 136 Moorings Park Drive, Apt. P502 Naples FL 34105	Name of Employer retired Transaction ID : F6.7886 Occupation retired	09/03/2014	1000.00
James Patterson 10000 Shelbyville Road, Suite 100 Louisville KY 40233	Name of Employer self employed Transaction ID : F6.7885 Occupation investor	09/03/2014	2000.00

SIGNATURE (optional) David Horan <div style="text-align: center;">[Electronically Filed]</div>	DATE 09/03/2014	For further information contact: Federal Election Commission 999 E Street, NW, Washington, DC 20463 Toll Free 800-424-9530, Local 202-694-1100
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FE1AN053

Any information copied from reports and statements filed under the Federal Election Campaign Act may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes other than using the name and address of any political committee to solicit contributions from such committee.

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 (Revised 07/2011)

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1. NAME OF COMMITTEE (in full) TYPE OR PRINT ▼ Example: If typing, type over the lines. 12FE4M5

Marilinda Garcia for Congress

ADDRESS (number and street) PO Box 821

Check if different
than previously
reported. (ACC)

Salem

NH

03079

2. FEC IDENTIFICATION NUMBER ▼

C C00552364

CITY ▲

STATE ▲

ZIP CODE ▲

STATE ▼ DISTRICT

3. IS THIS
REPORTNEW
(N)

OR

X

AMENDED
(A)

NH

02

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

July 15 Quarterly Report (Q2)

X October 15 Quarterly Report (Q3)

January 31 Year-End Report (YE)

Termination Report (TER)

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General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

in the
State of

(c) 30-Day POST-Election Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

in the
State of

5. Covering Period 08 21 2014 through 09 30 2014

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer David Horan

Signature of Treasurer David Horan

[Electronically Filed]

Date

10

15

2014

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

Office
Use
Only**FEC FORM 3**
(Revised 02/2003)

**SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS**Use separate schedule(s)
for each category of the
Detailed Summary Page

FOR LINE NUMBER: PAGE 13 OF 159

(check only one)

<input checked="" type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input type="checkbox"/> 11c	<input type="checkbox"/> 11d	<input type="checkbox"/> 15
<input type="checkbox"/> 12	<input type="checkbox"/> 13a	<input type="checkbox"/> 13b	<input type="checkbox"/> 14	

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NAME OF COMMITTEE (In Full)

Marilinda Garcia for Congress

Full Name (Last, First, Middle Initial)

Robert H. Bruce

A.

Mailing Address 100 Boerne Stage Airfield

City	State	Zip Code
Boerne	TX	78006

FEC ID number of contributing
federal political committee.

C

Name of Employer
Boerne Stage AirportOccupation
proprietor

Receipt For: 2014

☒ Primary General
Other (specify)

Election Cycle-to-Date

1000.00

Date of Receipt

09 03 2014

Transaction ID : SA11AI.7859

Amount of Each Receipt this Period

1000.00

donation

Full Name (Last, First, Middle Initial)

John Bryan

B.

Mailing Address 1501 South Kansas Street

City	State	Zip Code
Wichita	KS	67211

FEC ID number of contributing
federal political committee.

C

Name of Employer
uspsOccupation
Letter Carrier

Receipt For: 2014

☒ Primary General
Other (specify)

Election Cycle-to-Date

250.00

Date of Receipt

08 29 2014

Transaction ID : SA11AI.8761

Amount of Each Receipt this Period

250.00

CONTRIBUTION

Full Name (Last, First, Middle Initial)

James Buchwald

C.

Mailing Address 17156 Glen Rd

City	State	Zip Code
Mount Vernon	OH	43050

FEC ID number of contributing
federal political committee.

C

Name of Employer
RetiredOccupation
Retired

Receipt For: 2014

☒ Primary General
Other (specify)

Election Cycle-to-Date

1000.00

Date of Receipt

09 02 2014

Transaction ID : SA11AI.7846

Amount of Each Receipt this Period

1000.00

Contribution

SUBTOTAL of Receipts This Page (optional)

2250.00

TOTAL This Period (last page this line number only)

SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS

 Use separate schedule(s)
 for each category of the
 Detailed Summary Page

 FOR LINE NUMBER: **PAGE 91 OF 159**
 (check only one)
☐ 11a ☐ 11b ☒ 11c ☐ 11d
☐ 12 ☐ 13a ☐ 13b ☐ 14 ☐ 15

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 NAME OF COMMITTEE (In Full)
Marilinda Garcia for Congress

A. Full Name (Last, First, Middle Initial) FAMILY RESEARCH COUNCIL ACTION POLITICAL ACTION COMMITTEE			Date of Receipt 09 15 2014	
Mailing Address 801 G STREET NW			Transaction ID : SA11C.7928	
City WASHINGTON	State DC	Zip Code 20001	Amount of Each Receipt this Period 1000.00	
FEC ID number of contributing federal political committee. C C00452383			Contribution	
Name of Employer		Occupation	Contribution	
Receipt For: 2014 Primary <input checked="" type="checkbox"/> General Other (specify)		Election Cycle-to-Date 1000.00	Contribution	
B. Full Name (Last, First, Middle Initial) FIRST PRINCIPLES FUND			Date of Receipt 09 03 2014	
Mailing Address 133 SOUTH HARBOR DRIVE			Transaction ID : SA11C.7880	
City VENICE	State FL	Zip Code 34285	Amount of Each Receipt this Period 1000.00	
FEC ID number of contributing federal political committee. C C00531822			donation	
Name of Employer		Occupation	donation	
Receipt For: 2014 <input checked="" type="checkbox"/> Primary General Other (specify)		Election Cycle-to-Date 1000.00	donation	
C. Full Name (Last, First, Middle Initial) FREEDOM PROJECT; THE			Date of Receipt 09 10 2014	
Mailing Address 320 1ST STREET SE			Transaction ID : SA11C.7962	
City WASHINGTON	State DC	Zip Code 20003	Amount of Each Receipt this Period 5000.00	
FEC ID number of contributing federal political committee. C C00305805			Enterprise Trade and Economic Growth	
Name of Employer		Occupation	Enterprise Trade and Economic Growth	
Receipt For: 2014 Primary <input checked="" type="checkbox"/> General Other (specify)		Election Cycle-to-Date 5000.00	Enterprise Trade and Economic Growth	
SUBTOTAL of Receipts This Page (optional)			7000.00	
TOTAL This Period (last page this line number only)				

SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTSUse separate schedule(s)
for each category of the
Detailed Summary PageFOR LINE NUMBER:
(check only one)

PAGE 94 OF 159

<input type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input checked="" type="checkbox"/> 11c	<input type="checkbox"/> 11d	<input type="checkbox"/> 15
<input type="checkbox"/> 12	<input type="checkbox"/> 13a	<input type="checkbox"/> 13b	<input type="checkbox"/> 14	<input type="checkbox"/> 15

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NAME OF COMMITTEE (In Full)
Marilinda Garcia for Congress

A. Full Name (Last, First, Middle Initial) JOBS, ECONOMY AND BUDGET FUND (JEB FUND)			Date of Receipt 09 12 2014	
Mailing Address PO BOX 30844			Transaction ID : SA11C.8005	
City BETHESDA	State MD	Zip Code 20824	Amount of Each Receipt this Period 2500.00	
FEC ID number of contributing federal political committee. C C00420695			Contribution	
Name of Employer		Occupation		Contribution
Receipt For: 2014 Primary <input checked="" type="checkbox"/> General Other (specify)		Election Cycle-to-Date 2500.00		
B. Full Name (Last, First, Middle Initial) JOBS GROWTH AND FREEDOM FUND			Date of Receipt 09 08 2014	
Mailing Address 815 A BRAZOS PMB 550			Transaction ID : SA11C.7924	
City AUSTIN	State TX	Zip Code 78701	Amount of Each Receipt this Period 5000.00	
FEC ID number of contributing federal political committee. C C00536540			Contribution	
Name of Employer		Occupation		Contribution
Receipt For: 2014 <input checked="" type="checkbox"/> Primary General Other (specify)		Election Cycle-to-Date 5000.00		
C. Full Name (Last, First, Middle Initial) JOHN BOLTON PAC			Date of Receipt 09 10 2014	
Mailing Address 610 S. BOULEVARD			Transaction ID : SA11C.7946	
City TAMPA	State FL	Zip Code 33606	Amount of Each Receipt this Period 5000.00	
FEC ID number of contributing federal political committee. C C00542431			Contribution	
Name of Employer		Occupation		Contribution
Receipt For: 2014 Primary <input checked="" type="checkbox"/> General Other (specify)		Election Cycle-to-Date 5000.00		
SUBTOTAL of Receipts This Page (optional)			12500.00	
TOTAL This Period (last page this line number only)				



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 14, 2015

David Horan, Treasurer
Marilinda Garcia for Congress
P.O. Box 821
Salem, NH 03079

C00552364
AF#: 3000

Dear Mr. Horan:

On April 9, 2015, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Marilinda Garcia for Congress and you, in your official capacity as Treasurer ("respondents"), violated 52 U.S.C. § 30104(a) for failing to file 48-Hour Notices for 19 contributions totaling \$31,150. The Commission also made a preliminary determination that the civil money penalty was \$4,435 based on the schedule of penalties at 11 C.F.R. § 111.44.

After reviewing your written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463 or via facsimile (202-208-3333). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1660 if you have any questions.

Sincerely,

Rhiannon Magruder

Rhiannon Magruder
Reviewing Officer
Office of Administrative Review



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2015 AUG -5 PM 3: 52

August 5, 2015

MEMORANDUM

SENSITIVE

To: The Commission

Through: Alec Palmer *AP*
Staff Director

From: Patricia C. Orrock *PCO*
Chief Compliance Officer

Rhiannon Magruder *RM*
Reviewing Officer
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 3000 – Marilinda Garcia for Congress and David Horan, in his official capacity as Treasurer (C00552364)

On April 9, 2015, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file 48-Hour Notices for 19 contributions totaling \$31,150 and made a preliminary determination that the civil money penalty was \$4,435 based on the schedule of penalties at 11 C.F.R. § 111.44.

On May 19, 2015, the Commission received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer Recommendation ("ROR") dated July 14, 2015 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$3,315 civil money penalty, reduced from the RTB civil money penalty of \$4,435.

Within 10 days of transmittal of the recommendation, they may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f). As of this date, a written response has not been received.

OAR Recommendations

1. Adopt the Reviewing Officer Recommendation for AF# 3000 involving Marilinda Garcia for Congress and David Horan, in his official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 3000 that Marilinda Garcia for Congress and David Horan, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$3,315 civil money penalty (reduced from the RTB civil money penalty of \$4,435); and
3. Send the appropriate letter.

14-00000-00000

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Final Determination Recommendation –) AF 3000
Marilinda Garcia for Congress and David)
Horan, in his official capacity as)
Treasurer (C00552364))

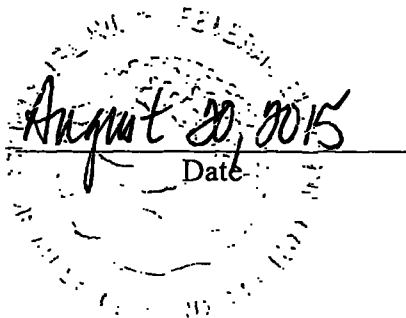
CERTIFICATION


I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on August 20, 2015, the Commission decided by a vote of 6-0 to take the following actions in AF 3000:

1. Adopt the Reviewing Officer Recommendation for AF# 3000 involving Marilinda Garcia for Congress and David Horan, in his official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF# 3000 that Marilinda Garcia for Congress and David Horan, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$3,315 civil money penalty (reduced from the RTB civil money penalty of \$4,435).
3. Send the appropriate letter.

Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Attest:


August 20, 2015
Date


Shawn Woodhead Werth
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 25, 2015

David Horan, Treasurer
Marilinda Garcia for Congress
P.O. Box 821
Salem, NH 03079

C00552364
AF#: 3000

Dear Mr. Horan:

On April 9, 2015, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Marilinda Garcia for Congress and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to file 48-Hour Notices for contributions of \$1,000 or more received between August 21, 2014 and September 6, 2014. By letter dated April 10, 2015, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$4,435 in accordance with the schedule of penalties at 11 C.F.R. § 111.44. On May 19, 2015, the Office of Administrative Review received your written response, challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and your written response. Based on this review, the Reviewing Officer recommended that the Commission make a final determination that Marilinda Garcia for Congress and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a reduced civil money penalty in the amount of \$3,315 in accordance with 11 C.F.R. § 111.44. The basis for the Reviewing Officer's recommendation was included in the Reviewing Officer Recommendation, a copy of which was sent to you on July 14, 2015.

On August 20, 2015, the Commission adopted the Reviewing Officer's recommendation and made a final determination that Marilinda Garcia for Congress and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assessed a civil money penalty in the amount of \$3,315 (reduced from the RTB civil money penalty of \$4,435). A copy of the Final Determination Recommendation is attached.

At this juncture, the following courses of action are available to you:

1. If You Choose to Appeal the Final Determination and/or Civil Money Penalty

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the U.S. District Court for the district in which the committee or you reside, or transact business, requesting that the final determination be modified or set aside. See 52 U.S.C. § 30109(a)(4)(C)(iii). Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 52 U.S.C. § 30109. 11 CFR § 111.38.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Appeal

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 *et seq.* If you do not pay this debt within 30 days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of the transfer to Treasury, Treasury will contact you to request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

Actions which may be taken to enforce recovery of a delinquent debt by Treasury may also include: (1) offset of any payments, which the debtor is due, including tax refunds and salary; (2) referral of the debt to agency counsel for litigation; (3) reporting of the debt to a credit bureau; (4) administrative wage garnishment; and (5) reporting of the debt, if discharged, to the IRS as potential taxable income. In addition, under the provisions of DCIA and other statutes applicable to the FEC, the debtor may be subject to the assessment of other statutory interest, penalties, and administrative costs.

In accordance with the DCIA, at your request, the agency will offer you the opportunity to inspect and copy records relating to the debt, the opportunity for a review of the debt, and the opportunity to enter into a written repayment agreement.

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the civil money penalty, send the enclosed remittance form, along with your payment, to the address on page 4 within 30 days of receipt of this letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assessed upon making a final determination.

5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assessed upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) no longer apply and this matter is now public. Pursuant to 11 C.F.R. §§ 111.42(b) and 111.20(c), the file will be placed on the public record within 30 days from the date of this notification.

If you have any questions regarding the payment of the civil money penalty, please contact Rhiannon Magruder on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Ann M. Ravel
Chair

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.44, the civil money penalty is \$3,315 for failing to file 48-Hour Notices.

This penalty should be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
PO Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC # 979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The form and payment are due within 30 days of receipt of this letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Marilinda Garcia for Congress

FEC ID#: C00552364

AF#: 3000

PAYMENT AMOUNT DUE: \$3,315



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 3000

DATE SCANNED 9/16/15

SCANNER NO. 2

SCAN OPERATOR JB